

#### IV. REMARKS

A certified translation of the priority document is enclosed. Applicants again claim the benefit of the filing date of said document.

Claims 2, 5, 12 have been amended to incorporate claim 14. In particular, the measured distance is now specified that it is the distance of the communications device to objects in its vicinity. Thus all claims now satisfy 35 USC 112, second paragraph.

Since applicants are submitting a certified translation, they are entitled to their Finish priority date of March 29, 1999. Further since this is before Masanobu's publication date of November 5, 1999, Masanobu is eliminated as a reference.

Thus the rejection of claims 2, 5, and 12 under 35 USC 102 on this reference should be withdrawn.

Similarly, the rejection of claim 8 on Masanobu in view of Terk, and the rejection of claims 9, 14, and 15 on Masanobu in view of Tamura, both under 35 USC 103, should be withdrawn.

Despite the elimination of Masanobu, the following comments are made.

The basic idea of the present invention is to make it possible to measure the matching of an antenna in a device by measuring the power reflected from the antenna (page 7, lines 21 to 23), by measuring the distance from an obstacle in the vicinity of the antenna (page 12, lines 29 to 32), or by observing the position of the keypad cover of a mobile station (page 13, lines 28 to 38). Consequently, the invention is based on the idea that if the antenna matching is poor, less power is reflected from the

antenna and, similarly, more power is returned. Because the quality of the antenna matching can be changed by external factors to a great extent, the invention provides a possibility to match the antenna to the respective environment in such a way that as much of the power of the antenna driving electronics as possible is made to radiate from the antenna. As a result, for example, the power consumption of the device is reduced (page 4, lines 20 to 31).


When reading Masanobu or a similar reference, one should keep in mind that it does not solve exactly the same problem as the present invention. The aim of Masanobu seems to be the optimization of the antenna transmission in such a way that harmful effects on the human body could be minimized (introduction and the third paragraph). It is true that Masanobu suggest that the antenna matching could be adjusted, but Masanobu does not present an arrangement that the antenna could be matched to the respective environment in such a way that as much of the power of the antenna driving electronics as possible could be made to radiate from the antenna. Moreover, there is no mention of savings in the power consumption, which is one of the aims in the present invention. Masanobu suggests to use the Voltage Standing Wave Ratio (VSWR) as a help when measuring the distance (paragraph 11). It is true that Masanobu uses the word "match" to indicate matching, but in this case, the meaning of this word is to be understood as matching in such a way that the effects on the human body are minimized.

New claims 16-21 recite that as much as possible as the power of the antenna driving electronics is radiated. Thus these claims distinguish over any reference similar to Masanobu.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Enclosed is a check in the amount of \$258.00 for additional claim fees. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

  
Henry I. Steckler  
Reg. No. 24,139

March 22, 2004  
Date

Perman & Green, LLP  
425 Post Road  
Fairfield, CT 06824  
(203) 259-1800  
Customer No.: 2512

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 3/22/04

Signature:   
Person Making Deposit